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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

DAILEY, THOMAS J

ART UNIT

PAPER NUMBER

2152

MAIL DATE

DELIVERY MODE

05/13/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/659,774

Applicant(s)

HAVERINEN ET AL.

Examiner

THOMAS J. DAILEY

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4, 7, 10, 13-15, 20, 21 and 24-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 7, 10, 13-15, 20-21, and 24-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 24-28 were added by the amendment filed on February 4, 2008.
2. Claims 3, 6, 9, 12, 16-19, and 23 were cancelled by the amendment filed on February 4, 2008.
3. Claims 1, 4, 7, 10, 13-15, 20-21, and 24-29 are pending.
4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 4, 2008 has been entered.

Response to Arguments

5. The U.S.C 101 and 112 rejections directed at claims 1 and 10 have been withdrawn in light of the applicant's arguments and amendments. The examiner notes with respect to claim 10 (and claims 7 and 29, as they are written in a similar form), that while the claims' current structure do not necessitate 112 second paragraph rejections, they cannot be reasonably interpreted as dependent claims and will be interpreted as independent claims hereinafter.
6. Applicant's arguments with respect to claims 1, 4, 7, 10, 13-15, 20-21, and 24-29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

7. Claims 21, 24-26, and 28 are objected to for indefinite articles. For example, claim 21 recites, "A terminal as in claim 20..." In order to be a proper dependent claim it needs to recite, "*The* terminal as recited in claim 20..." The same rationale applies to claims 24-26 and 28.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1, 4, 7, 10, 13-15, 20-21, and 24-29 are rejected under 35 U.S.C. 102(e) as being anticipated by O'Neill (US Pub. No. 2003/0176188).
10. As to claim 1, O'Neill discloses a method for use by an authentication network element, comprising:
- transmitting to a terminal requesting authentication a reauthentication identity including a unique realm name uniquely identifying an authentication server

((0053], lines 13-17, the NAI (reauthentication identity) of any end node (terminal) includes a realm name and identifies the home authentication server and is assigned during initial authentication);

receiving a request for reauthentication from another terminal, the request for reauthentication including another reauthentication identity including another unique realm name uniquely identifying another authentication server ((0053], lines 13-23, any end node (terminal) sending an authentication request identifying its home authentication server (i.e. the authentication server that has the end node's service profile, thus making this request a reauthentication request when the end node is visiting a network other than its home network, as in this exemplary embodiment)); and

routing the reauthentication request according to the unique realm name included in the request for reauthentication ((0053], lines 16-23),.

11. As to claims 4, 7, 13, 15, and 20, they are rejected by the same rationale set forth in claim 1's rejection.

12. As to claim 10, O'Neill discloses a system, comprising a plurality of terminals, a plurality of authentication servers, and at least one content server, the terminals operative so as to request content from the content server after authentication and occasional reauthentication with one or another of the authentication

servers, wherein at least two of the authentication servers are authentication network elements as in claim 4 (see claim 4's rejection and Fig. 1).

13. As to claim 27, O'Neill discloses a method for use by a terminal, comprising:

receiving from a first authentication server a reauthentication identity generated during a first authentication, the reauthentication identity including a realm name uniquely indicating the first authentication server ([0053], lines 13-17, the NAI (reauthentication identity) of any end node (terminal) includes a realm name and identifies the home authentication server and is assigned during initial authentication); and

transmitting to an authentication network element a request for reauthentication using the reauthentication identity including the unique realm name ([0053], lines 13-23, any end node (terminal) sending an authentication request identifying its home authentication server (i.e. the authentication server that has the end node's service profile, thus making this request a reauthentication request when the end node is visiting a network other than its home network, as in this exemplary embodiment)).

14. As to claim 29, it is rejected by the same rationale set forth in claim 27's rejection.

15. As to claim 24, O'Neill discloses wherein the authentication network element is an authentication server (Fig. 5, label 114).
16. As to claim 25, O'Neill discloses wherein the authentication network element is a proxy server (Fig. 5, label 135).
17. As to claim 26, O'Neil discloses wherein the authentication network element is a service access point for authentication by an authentication server (Fig. 5, label 128).

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 14 and 21, are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neill as applied to claims 13 and 20 above, and in view of Barriga-Caceres et al (US Pub No. 2003/0163733), hereafter "Barriga."

20. As to claims 14 and 21, O'Neill does not explicitly disclose wherein the means for transmitting to an authentication network element a request for reauthentication using the reauthentication identity including the unique realm name includes the reauthentication identity in an identity response packet according to an Extensible Authentication Protocol.

However, Barriga discloses an authentication system (Abstract) that utilizes an Extensible Authentication Protocol ([0101]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of O'Neill and Barriga in order to utilize a well-known protocol in the art that would allow O'Neill's system to be compatible with other, already deployed, systems.

Conclusion

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Dailey whose telephone number is 571-270-1246. The examiner can normally be reached on Monday thru Friday; 9:00am - 5:00pm.
22. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax

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phone number for the organization where this application or proceeding is assigned is 571-273-8300.

23. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. J. D./
Examiner, Art Unit 2152

/Bunjod Jaroenchonwanit/

Supervisory Patent Examiner, Art Unit 2152